

CALFED Interim Governance and Program Implementation

3/6/00

1. Pre ROD Implementation Issues

FY 2000 Federal Funding—the delay in the ROD results in a possible delay in final awards for projects that would be viewed as predecisional.

2. Elements /Documents for Interim Implementation (Post ROD)

- **Revised Framework Agreement**

A revised Framework Agreement needs to be adopted to describe the process for implementing the ROD in the interim.

- **Public Involvement**

BDAC's responsibilities end with the adoption of the ROD. Public involvement process is needed in the interim until a permanent structure is established. What process and structure should be put in place? Possibly a new or revised FACA Charter is needed.

- **Ecosystem Cost Sharing Agreement**

Existing Cost Sharing Agreement expires September 30, 2001. It only covers the preROD ecosystem program—not the \$390 million. Do other program elements need to be addressed in a cost share agreement?

- **State Federal Contract for funding the Bay Delta Program**

Current contract between DWR and ClubFed to share the cost of the CALFED Program expires December 2000. Should a new contract be adopted to support functions and responsibilities assigned to the Bay Delta Program during the interim?

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A. Framework Agreement -- Elements Proposed by Stakeholders

1. Implementation Principles for the Interim

Some of the topics to be developed into principles include:

- Agency coordination
- Local involvement
- Possibly all or some of Solution Principles

2. Policy Group

- Responsibilities
- Decision-making rules
- Meeting Frequency
- Public Involvement in decision making process

3. Implementation Procedures

- Identify programs/funding considered primary element of implementation for Program – those programs/funding would be coordinated with CALFED and reviewed by Policy Group for consistency and integration

4. Water Operations

- Decision process,
- Clear operating protocols
- Independent scientific review
- Procedures for public notification of decisions/actions
- Accord –It was suggested that the Accord and Framework Agreement be combined in one document.

5. Science -- The Agreement should describe:

- Independent science review process, scope/domain, members
Proposal to use CALFED independent science review process to review ESA recovery plans
- CMARP – responsibilities, relationship to independent science review

6. Congressional and Legislative Communication

- Annual Progress Reports, other?
- Stakeholders propose budget control language, legislative report language and annual audits by LAO

7. Sunset Clause

B. Public Involvement

1. New Public Advisory Group

- Establish a new FACA chartered public advisory group to advise Bay Delta Program during the interim.
- Serves as umbrella FACA group to support focused groups such as Drinking Water Council Roundtable, Watershed Workgroup and others as needed.
- Provides ongoing and broad based input and advice for the Program
- Serves as transition to the long-term Commission model
- Responsibility – coordinate and consolidate recommendations to Policy Group through a more defined collaborative process

2. Membership

- Smaller group—approximately 10 members
(ag, urban, enviro, commercial fishing, Delta, local government, tribes, rural/watershed)
- Represent broad constituent group
- High level representatives

3. Meetings

- Meet with Policy Group and separately as needed
- Local workshops – Possibly serve as a forum for local involvement through local workshops in different areas of State